



NEIGHBORHOOD PRESERVATION, MAINTENANCE AND SAFETY

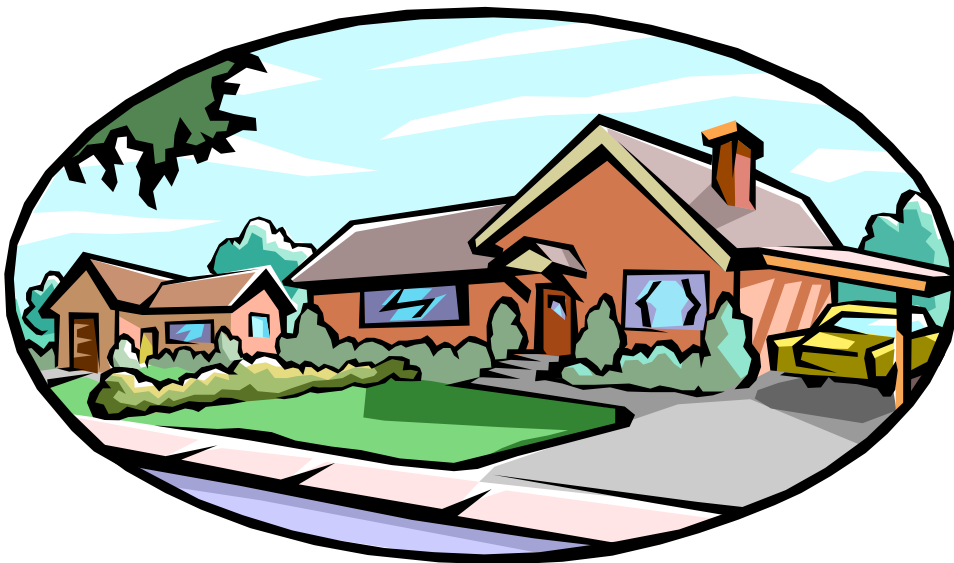


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INTRODUCTION

Maintaining quality residential areas in a city requires the cooperation of all in the maintenance of property. Pride in one's living space leads to pride in one's neighborhood and can instill, even further, community pride and spirit within the neighborhood. Well maintained neighborhoods also maximize property and resale values.

While it is hoped everyone will maintain their living space in a way to create quality residential areas, there may be instances when this does not occur. It sometimes becomes necessary to use City ordinances to require the upkeep of property and the regulation of activities which are harmful in residential areas.

The City of Midland encourages communication between neighbors and friends, and provides this information as a tool to be used to promote better relations among neighbors, neighborhoods, and the City.

The following are summaries of various City ordinances which relate to the maintenance of housing and residential areas. These are provided to assist City residents in determining what route to follow, should problems persist in neighborhoods. It is hoped that these will be used as a last resort when communication within the neighborhood itself is not successful.



SECTION 1

PROPERTY MAINTENANCE

The 2003 International Property Maintenance Code requires that property owners ensure that all structures and exterior property areas are maintained in a clean, safe, secure and sanitary manner so as not to cause a blighting problem or adversely affect the public health or safety.

Buildings

All structures must be kept in good repair and the exterior surface treatment must be maintained. House numbers are required and should be easily read from the street. No venting of any type of fumes upon adjacent property is allowed. Any abandoned buildings must be safe and secured.

Grounds

All fences, swimming pools, hot tubs, decks, sidewalks, driveways, decorative features, etc. must meet all appropriate codes and be kept in good repair. Measures must be taken to ensure that harmful rodents and insects are not infesting the property. All animal wastes must be immediately removed. No farm animals are allowed on residential lots.

Permits

Most construction and repair work on your home or garage will require a permit from the Building Department. If you own the home and are doing your own work, you may pull your own permits. If not, a licensed contractor must pull the permits. If you own the home but someone else occupies it, plumbing, electrical and mechanical permits must be pulled by licensed contractors while you may pull the rest if you are doing the work. New fences and sheds also require permits although there are no fees for fence permits.

Contact the Building Department for questions or complaints regarding property maintenance and permits at 989-837-3383.

See specific sections that follow regarding Abandoned Vehicles, Garbage/Refuse, Weeds/Grass, Trash/Litter and Parking, etc.

IPMC, Chapter 3

SECTION 2 ABANDONED, DISMANTLED, INOPERABLE VEHICLES (JUNK CARS)

Definitions:

- *Abandoned vehicles:* Motor vehicles left unattended on public or private property and not having a valid license.
- *Dismantled motor vehicles:* Motor vehicles from which some part or parts of the vehicle have been removed or are missing, including tires and rims.
- *Inoperable vehicles:* Vehicles that are incapable of being legally driven on the street due to missing parts, expired license, engine broken down, unsafe condition of vehicle, etc.

Abandoned, dismantled or inoperable vehicles (including parts) shall not remain outdoors on residential property for more than fourteen (14) days.

To report an abandoned, dismantled or inoperable vehicle call the City Building Department at 989-837-3383 from 8:00 AM to 5:00 PM weekdays or the City Police Department at 911, evenings and weekends.

Code of Ordinances, Sections 13-21, 13-24, 13-25; IPMC, Section 302.8



SECTION 3 TRASH, LITTER AND DEBRIS

All property owners and renters in the City of Midland are responsible for keeping all the property under their control free of litter, garbage, trash, junk, brush, broken-down yard equipment, indoor furniture, appliances, unused building materials and any other items stored outdoors illegally. All residential lots must have adequate, approved trash receptacles that are kept sealed from wildlife and the weather. All items awaiting removal must be kept in these containers or stored indoors prior to removal. For problems with trash, litter, or debris, call the Building Department at 989-837-3383.

Code of Ordinances, Sections 10-16, 12-50; IPMC, Section 302.1, 307

SECTION 4 GARBAGE AND REFUSE REMOVAL

General Information

Household Refuse and Yard Waste:

Collected once per week. To determine your pick-up day, visit:

<http://www.midland-mi.org/government/departments/dps/publicworks/schedule.htm>

Or call the DPS at 989-837-6900

Recyclables:

Curbside every other week and free drop off at *Midland Volunteers for Recycling* building near the front entrance to the landfill. Call 989-631-1668 for details.

Hazardous Materials Drop-Off:

Contact the Midland County Health Department at 989-832-6681.

Brush and Heavy Refuse:

Bulky items, tree trimmings and brush are collected once per month.

Tires:

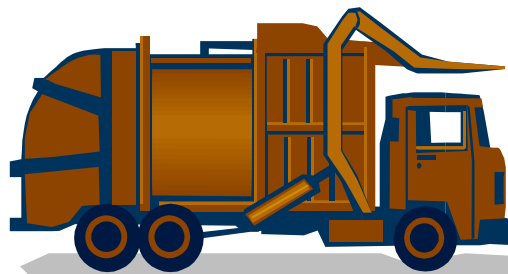
May be disposed at the City Landfill for a fee. Residents may place up to four rimless tires per year at the curb for heavy refuse pick up.

Borrow-A-Container Program:

Overnight loan of a dumpster

Direct disposal at the City Landfill:

Free to City residents once per month for general refuse. There is a cost for disposal of construction or demolition materials, shingles, concrete or brick.



Household Refuse Collection

Household refuse is collected weekly, Monday thru Friday. Holiday collection is made the next work day, except Thanksgiving Day's Thursday collection is collected the Wednesday before the holiday. Carefully review the items collected and how to prepare them. Refuse that is improperly prepared or placed improperly at the curb may result in an additional minimum fee of \$10.00.

What Items Are Collected?

- General household garbage, excluding yard waste and heavy items.
- Dried latex and oil paint in can - remove lid and punch holes in the side of the can.
- Used motor oil and antifreeze - clearly labeled, in a tightly sealed non-leaking container and placed separately for collection.
- Animal wastes - clearly labeled, placed in a plastic inner bag and paper compost outer bag, placed separately for collection.

How Should Refuse be Prepared?

- Place refuse at the curb no sooner than 6:00 PM the day before collection and no later than 8:00 AM on your scheduled day.
- Place refuse in closed bags or containers weighing not more than 50 pounds. Refuse in containers such as grocery bags, wheelbarrows, boxes, or barrels without handles cannot be collected.
- Wrap broken glass so that it cannot penetrate its container. Put needles and syringes in a separate hard plastic or metal container with a tightly secured lid and label it as hazardous.
- Clearly label ashes, dust and sawdust. Place in closed double bag weighing less than 50 pounds.
- Place refuse at the curb or in the driveway approach. Do not place on sidewalks, in the roadway, or on top of snowbanks.
- Hot ashes, dangerous chemicals, explosives, car parts, liquid paint, car batteries, loose soil, sod and dead animals cannot be collected.



Yard Waste Collection

Yard waste is collected weekly, Monday thru Friday, on your regular refuse day. The program runs from April thru November. Yard waste materials are collected in residents' choice of paper compost bags or bins purchased from the City. Residents can choose to purchase a bin and pay a \$25 annual fee or pay a 25 cent per bag fee. Special collection services are available at no charge. These include Christmas tree collection, fall leaf collection and fall/spring yard waste cleanup. Filled compost bags must weight under 50 pounds each.

Brush and Heavy Refuse Collection

When to set it out:

Brush and heavy refuse is collected once a month on your heavy refuse collection day. Identify your area on the map and note your monthly collection date. In order to keep our city streets clean and collection costs low, please place brush and heavy items at the curb, separate from normal household refuse, no earlier than the Saturday prior to your scheduled Monday collection day.

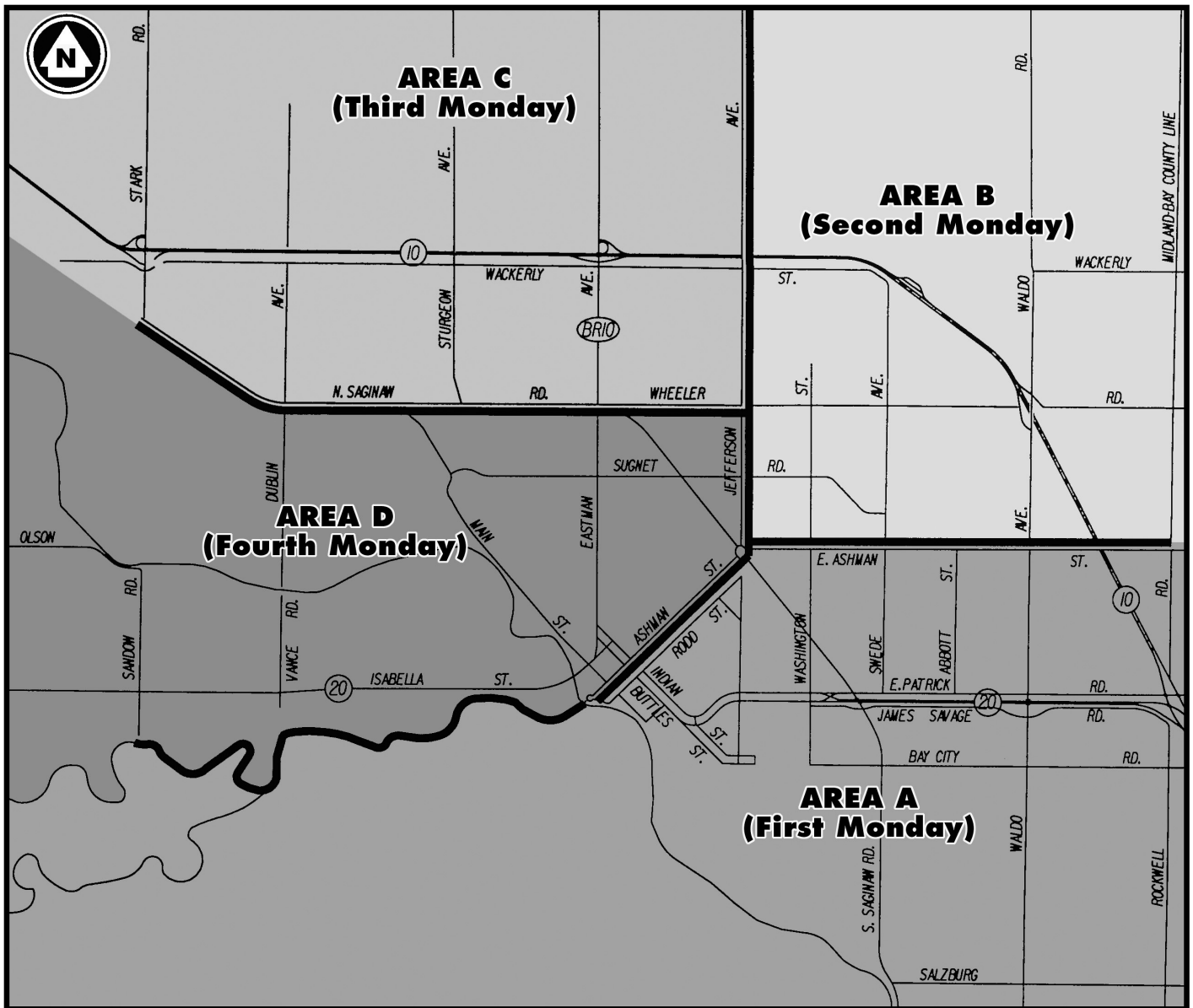
What to set out and how:

Moving boxes, furniture, demolition, remodeling and building materials, (at occupied/established residences only), mattresses, carpeting, logs, cut branches, tree trimmings, brush (cut into 8 foot lengths or less), scrap metal, asphalt, etc. Maximum 4 rimless tires per year. Keep refuse on or behind the curb, out of the street and off the sidewalk. Keep away from utility poles, hydrants and trees. Appliances can be collected on a call-in basis (please remove doors and covers).

Brush and Heavy Refuse Collection Policy

In order to keep City streets clean and collection costs down, please place brush and heavy refuse items at the curb, separate from the normal household refuse, on or no sooner than 48 hours prior to your pickup day. If brush or heavy refuse items are placed out too soon, the Department of Public Services will notify you and give you 72 hours to remove the items. If the items are not removed within 72 hours, DPS will collect the items and charge you the equipment, labor and landfilling costs (a minimum of \$50).

Brush and Heavy Refuse Collection Schedule



Borrow-A-Container Program

Reserve a City dumpster by calling the Department of Public Services (DPS). The DPS will drop off a 4' x 6' City dumpster at your home. You fill it and DPS will pick it up the next morning. There is no fee for this service. Collection of appliances or moving boxes can be made on a call-in basis. Contact the Department of Public Services at 989-837-6900.

SECTION 5 TALL GRASS AND WEED CONTROL

Every property owner must keep weeds, grass, and brush cut to less than twelve (12) inches in height on all occupied lots. On vacant lots grass must be cut within 100 feet of adjoining properties.

It is the duty of every property owner or occupant to destroy noxious, poisonous or injurious weeds on their property. Contact the Department of Public Services for a list of plants in this category.

If you see problems with overgrown yards or have questions, call the Department of Public Services at 989-837-6900.

Code of Ordinances, Sections 26-1 to 26-4; IPMC, Section 302.4

SECTION 6 PARKING

On-Street Parking

Parking is prohibited on ALL city streets between the hours of 3:00 AM and 6:00 AM. To request an exception, you must appear in person at the Midland City Police Department. Be sure to take your vehicle registration with you. Violators may be ticketed.

For questions regarding on-street parking, contact the Police Department at 989-631-5716.



Parking Between Lot Line and Curb

No person shall drive upon or park any vehicle between the curb or edge of street and the lot line nearest the street (the area commonly known as the lawn extension or outlawn), whether or not any sidewalk or curb is actually in place. This also includes parking over the sidewalk within the driveway area.

Residential District Parking

All vehicles parked on residential lots must be parked on an improved surface. All improved off street parking and driveways must consist of a surface of concrete, asphalt or brick. Existing gravel driveways are allowed but any expansion or improvement must meet the current standard. The maximum front yard improved area used for parking should not exceed 50%. The maximum side yard area, for those lots on corners, should not exceed 35% in RA-1 and RA-2 districts and should not exceed 50% in RA-3, RA-4 and RB districts. No parking areas are allowed in the vehicular sight zones on corner lots. No commercial vehicle or trailer with a rated capacity of more than one (1) ton may be parked or stored on residential property.

If you have questions or need to report a violation, call the Building Department at 989-837-3383.

Zoning Ordinance, Section 5.01

SECTION 7 OCCUPATION OF RECREATIONAL VEHICLES

Recreational vehicles may be occupied in residential districts in accord with the following requirements:

- Vehicles may be occupied for up to 3 days without a permit.
- If occupied over 3 days, the property owner must apply for a permit from the Building Department.
- The permit must be displayed in the vehicle on the street side so it is readily visible.
- The lot used by the recreational vehicle must include an occupied dwelling.

- Occupants of the vehicle must have full access to the sanitary facilities of the home.
- The vehicle must not be occupied beyond its rated capacity.
- No waste water may be drained onto the driveway, lawn or street.
- No vehicle may be occupied for more than six (6) weeks during any twelve (12) month period.

For problems or questions about trailers or RV's, call the Building Department at 989-837-3383.

Code of Ordinances, Chapter 25; Zoning Ordinance, Section 5.01 F

SECTION 8 DOGS

Dogs running at large are prohibited

No person shall allow a dog, whether licensed or unlicensed, to run at large or stray beyond the premises of the owner unless under the reasonable control of some person.

Howling dogs

No person shall keep a dog which by frequent or habitual barking causes a disturbance in the neighborhood.

Dog odors

No person shall keep a dog which creates unpleasant odors in the neighborhood.

Dog waste

All dog waste shall be removed by the dog's owner immediately on private or public property.



License tag to be worn by dogs

Any dog, age six (6) months or over, must be licensed and shall wear a collar to which is attached the license tag required by State law. Dog licenses are available at the Midland County Treasurer's Office at the Midland County Services Building. For information call 989-832-6850.

Removal of dead dogs

The Midland County Animal Control has the duty of picking up any dead dog that may be found lying abandoned anywhere within the City limits. Contact the Midland County Animal Control at 989-832-6856.

If you are unable to contact the owner of the dog or have not had a suitable response, contact the Midland City Attorney at 989-837-3395.

Code of Ordinances, Sections 3-17 to 3-33, 10-14 to 10-17; Park Rules and Regulations, Section 10

SECTION 9 NOISE

No person shall make any unreasonable, loud, disturbing, or unnecessary noise.

Noises specifically forbidden

A person may not:

- Sound a car horn except when reasonably necessary for the prevention of accidents.
- Operate a motor vehicle with a defective muffler.
- Operate a motor vehicle with defects which cause unnecessary noise.
- Operate a motor vehicle with a sound system that causes unnecessary noise.
- Use a gong or siren on any vehicle.
- Use any loudspeakers or amplifiers outdoors. Amplifiers and loudspeakers may be used in connection with municipal functions, civic and community functions, and holiday gatherings, after securing permission from the City Council.

- Use any noisemaking device for the purpose of attracting attention to the outdoor sale of merchandise.

To report loud or disturbing noises, call the Midland Police Department at 911.

Code of Ordinances, Sections 16-28, 16-29; Michigan Vehicle Code



SECTION 10 SIGNS

The following types of signs are allowed in residential neighborhoods: garage sale, personal special occasion, nameplate/street address, allowed home occupation (maximum two (2) square feet), real estate, construction/contractor signs, and election signs. Real estate, construction and election signs must be removed within two (2) weeks after the sale, end of construction work or election.

It is prohibited to place any sign in the right-of-way including on mail boxes, trees and utility or light poles. No signs placed in yards may advertise activities located on another lot (off-premise sign).

The exception to this rule is reflective address signs. The preferred location is attached to a mail box post. You may also attach it to a post no larger than 4" x 4" in size, at least two (2) feet behind the curb or shoulder of the street and no taller than four (4) feet above ground. No more than one sign is allowed per address. For corner lots, the sign must be located along the street that designates the address.

Illegally placed signs will be removed by City personnel. Repeated infractions may be cause for issuance of a \$50 fine.

For sign questions, call the Midland Building Dept. at 989-837-3383.

Code of Ordinances, Section 22.2; Zoning Ordinance, Article 8

SECTION 11 GARAGE SALES

No more than two (2) garage sales lasting no more than four (4) days each per twelve-month period are allowed for any individual address.

Garage Sale Signs

Garage sale signs are prohibited within the street right-of-way. This includes the placement in the outlawns and on any poles or trees in the area. City personnel are instructed to remove any such improperly placed signs. No signs may be placed anywhere outside the property where the sale is being held, including on neighbor's lawns. Signs affixed to a parked vehicle primarily to advertise are not allowed. Legally placed signs must be taken down as soon as the sale ends.

To report illegal garage sales or off-premise signs, call the Building Department at 989-837-3383.

Code of Ordinances, Section 22-2; Zoning Ordinance, Section 3.06 and Article 8



SECTION 12 STREETS, SIDEWALKS, OUTLAWNS AND FRONT YARDS

Streets

All work in the street or outlawn area requires a permit issued by the City Engineering Department. This includes curb cuts, new driveway approaches, sewer connections, trenching, etc. Any underground work should also be reported to MISS DIG (1-800-482-7171) so that underground utilities can be located ahead of time. Records of underground public utilities in the right-of-way and sewer leads to each home are available in the City Engineering Department at 989-837-3348.

Outlawns

Residents are required to keep the area between the curb or road edge and the property line (normally called the outlawn) mowed and free of debris. Landscaping can be done in the outlawn but no permanent structures are allowed except for mailboxes. Trees located on the City outlawn will be maintained by the City. Sidewalk repair is a City responsibility. Residents should keep sidewalks free of debris and snow. Overhanging branches from trees located on private property must be trimmed to a height of at least eight (8) feet above sidewalks. All trees and shrubs on private property must be cut back to at least twelve (12) inches from the sidewalk.

Clear Vision Zones

Corner lots have a required clear vision zone running 20 feet in both directions from the corner along the lot lines forming a triangle that allows motorists and pedestrians a clear view of oncoming traffic. In this triangular area, no sight obstructions thirty (30) inches higher than the top of the curb are allowed and all tree limbs must be cut to a height of eight (8) feet above the ground.

Fences

Fences installed in the required front setback must be non-obscuring in design (examples – chain link, wrought iron, split rail or picket) where 50% or more of the vertical area can be seen through. Fences in front yard and side yard setbacks may not be over 42 inches high except in the above noted clear vision zone. In general, all other fencing must not be taller than 6 feet. Before building a fence or wall, contact the Building Dept. for restrictions and a no-cost zoning permit.

Sidewalks

For problems with public sidewalk installation, street lighting, allowed mailbox designs or similar issues in the public street right-of-way, contact the Engineering Department at 989-837-3348.

Traffic Signals and Street Signs

To report a traffic signal or sign that is damaged or not functioning properly call the City Police Department at 911.

Outlawns and Street Cleaning/Repair

If you have questions regarding trees or shrubs in the outlawn, public sidewalk repair or street cleaning or repair, call the Department of Public Services at 989-837-6900.

Fences, Driveways or other Structures

For questions regarding construction of fences, walls, driveways, private sidewalks or other structures within your yard, please contact the Building Department at 989-837-3383.

Code of Ordinances, Section 26; Zoning Ordinance, Article 7.00; IPMC Section 302.3

SECTION 13 RENTAL UNITS

All rental units withing the City of Midland must be certified by the Building Department. Each unit must be inspected every two years and meet minimum standards set forth in the 2003 International Property Maintenance Code. Cost of certification is \$20 per unit. All residential units which are not owner occupied, whether or not the occupants are related to the owner or rent is charged, must be inspected and certified.

Owners are responsible for the upkeep of their property. Adequate parking for all residents is the owner's responsibility. The owner must insure that tenants do not store trash, garbage or junk cars in the yard or violate any other codes of the City of Midland. Any fines incurred due to a tenant violating City codes are the responsibility of the property owner.

For questions regarding rental units, call the Building Dept. at 989-837-3383.

Code of Ordinances, Chapter 12

SECTION 14 HOME OCCUPATIONS

Home occupations are allowed as long as they conform to the following conditions:

- The use is clearly incidental and secondary to the use as a dwelling.
- No more than one-third (1/3) of the habitable floor space of the home may be used for the home occupation.
- No persons are employed other than the home occupants.
- No such home occupation may be conducted in an attached garage or any accessory structure.
- Only one (1) sign not to exceed two (2) square feet in area may be installed.
- No outside storage or display of materials, goods, supplies or equipment related to the home occupation is allowed.
- Auto repair shops, bump and paint shops, junkyards, auto storage, vehicle sales and similar businesses are prohibited.
- Such uses shall not change the character or appearance of the home, result in any signs or displays on the premises, except as permitted above, or require equipment not commonly found on a residential premises.

For questions about Home Occupations or to report possible violations, contact the Building Dept. at 989-837-3383

Zoning Ordinance, Section 3.06

SECTION 15 FIRE SAFETY

Recreational Fires

Recreational fires are defined as the burning of clean fire wood (no brush, leaves, trash, etc.) in an area not greater than 3 feet in diameter and 2 feet in height. These fires are allowed in residential neighborhoods if the following conditions are in place:

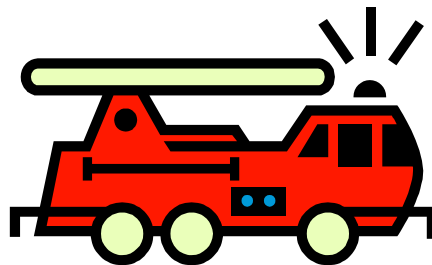
- They may be no closer that 25 feet to a structure or other combustible

material unless contained in a pit.

- Conditions which might cause a fire to spread must be eliminated.
- Buckets of water, shovels, garden hose or fire extinguisher with a minimum 4-A rating must be readily available.
- The fire must be constantly attended by a person capable of using the required equipment.

Fire Department personnel may require that any fire be put out if they determine it poses a hazard.

1994 Uniform Fire Code, Section 1102.4



Fire Safety Suggestions

- Check all fire extinguishers annually.
- Develop an evacuation plan for you and your family. Practice the plan at least twice per year.
- Change batteries in smoke detectors twice each year. The best times are when daylight savings time changes. Check smoke detector function each month. A smoke detector should be located on each level of the house and in each sleeping room, on or near the ceiling.
- Every house should have at least one carbon monoxide detector. Carbon monoxide tends to travel evenly throughout a room or structure. Follow the manufacturer's installation instructions. Record the date you have placed the detector in service on the back side of the unit with a permanent marker. Replace after five (5) years of service unless the manufacturer's guide states differently.
- Keep combustible materials at least three (3) feet from furnaces, gas hot water heaters and electrical panels.
- Store flammable liquids such as gasoline away from ignition sources in approved, labeled containers.

For questions regarding fire safety call the Midland Fire Department at 989-

837-3410. To report dangerous situations, call the City Police Department at 911.

City of Midland contact information:

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|--------------------------------|---------------------|
| Building Department: | 989-837-3383 |
| Department of Public Services: | 989-837-6900 |
| Engineering Department: | 989-837-3348 |
| City Attorney: | 989-837-3395 |
| Fire Department: | 989-837-3410 |
| Police Department: | 989-837-5716 or 911 |



Midland County contact information:

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|---------------------|--------------|
| Animal Control: | 989-832-6856 |
| Health Department: | 989-832-6681 |
| Treasurer's Office: | 989-832-6850 |

Other contact information:

Midland Volunteers for Recycling: 989-631-1668
MISS DIG: 1-800-482-7171

Visit the City of Midland's website for additional information at:
www.midland-mi.org

To access the **Code of Ordinances** or the **Zoning Ordinance**, select City Government (at top of page), then City Council from the drop-down menu, then Code of Ordinances or Zoning Ordinance on the right side of the page.

To access the **City's Park Rules**, select City Government (at top of page), then City Departments from the drop-down menu, then select Parks & Recreation on the right side of the page. Select the City of Midland's Park Rules link within the content of the page.

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